



**ZONING BOARD OF APPEALS
STAFF REPORT
May 21, 2020**

Area Variance

Case #5

Staff Reviewer: Matthew Simonis

File Numbers: V-060-19-20

Applicant: Ray Trotta

Project Address: 327-347 Monroe Avenue

Zoning District: C-2 Community Center District

Section of Code: 120-44, 120-165, 120-173

Request: To construct a 2,600 square foot restaurant with drive-thru (Burger King), not meeting certain lot, area, and yard requirements; certain refuse locational requirements; or certain off-street parking requirements.

Project Information: The proposed project involves the demolition of an existing vacant building (formerly Arby's restaurant) at 327-341 Monroe Avenue and the construction of a new restaurant with double drive-through (Burger King). The development proposal also involves the parcel at 347 Monroe Avenue immediately to the east. The project required Site Plan Review, and the Preliminary Site Plan Review Findings are attached. In addition, the project went before the City Planning Commission for the use of a double drive-thru, as well as containing more than 110% of the required parking, and was approved on condition for three years until March 31, 2023.

Please note that since the issuance of the preliminary site plan review findings, the applicant has revised the proposal to only include the below listed variances.

Code Compliance: Section 120-44C provides that the maximum front yard setback be zero to five feet. The front yard setback along Alexander Street ranges from approximately 98 feet to 117 feet (**area variance required**).

Section 120-44D provides that corner lot front setbacks shall reflect the front setbacks of the other corner buildings at that intersection, but in no case shall be less than the average front yard depth of building(s) in the commercial district in which the property is located. The Windstream building across Monroe Avenue to the north is built to the corner with a zero-setback on Alexander Street. The proposed building does not reflect this setback along Alexander Street and has a setback ranging from 98ft-117ft. The fire station across the street to the west has a setback on Monroe Avenue ranging from approx. 11ft-15ft. While the proposed building does not reflect this setback, it is within the Maximum Setback requirement above (0ft-5f) and also reflects the setbacks of the buildings directly adjacent to the fire station to the west. Only the Dunkin Donuts building across the street diagonally to the northwest, a converted service station, has a large setback from both Monroe Avenue and Alexander Street, which is inconsistent with the other buildings at the corner, and the

surrounding buildings on both Alexander Street and Monroe Avenue (**area variance required**).

Section 120-165B provides that refuse collection areas for multifamily, commercial and industrial uses shall be located in the side and rear of the buildings. The proposal includes the dumpster enclosure in the front yard facing Alexander Street (**area variance required**).

Section 120-173F provides that except in the C-3 and M-1 districts, parking shall not be permitted between a building and the sidewalk on the street. Where existing or proposed buildings are setback from the public right-of-way, the front yard shall not be converted to parking. The proposed parking lot is located in the front yard between the building and Alexander Street (**area variance required**).

Standards:

The following Standards will be used to evaluate the application:

1. The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or the community by the granting of the variance.
2. No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.
3. There is no other means feasible for the applicant to pursue, other than the granting of this area variance.
4. The requested variance is not substantial.
5. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
6. The alleged difficulty was not self-created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance.

Code Enforcement:

The subject property is not currently in code enforcement.

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): 327 & 347 Monroe Ave
2. APPLICANT: Ray Trotta COMPANY NAME: The Holland Trotta Project
ADDRESS: 277 Alexander Street Suite 210 CITY: Rochester ZIP CODE: 14607
PHONE: 585-703-6562 FAX: n/a
E-MAIL ADDRESS ray@htprojectsolutions.com
- INTEREST IN PROPERTY: Owner _____ Lessee _____ Other X
3. PLAN PREPARER: Robert Fitzgerald of Fitzgerald Engineering
ADDRESS: 277 Alexander Street Suite 210 CITY: Rochester ZIP CODE: 14607
PHONE: 585-281-9897 FAX: n/a
4. ATTORNEY: n/a
ADDRESS: n/a CITY: n/a ZIP CODE: n/a
PHONE: n/a FAX: n/a
E-MAIL ADDRESS n/a
5. ZONING DISTRICT: C-2
6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____
(Please refer to attached Letter of Intent)
- _____
- _____
- _____

7. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) 6 Months

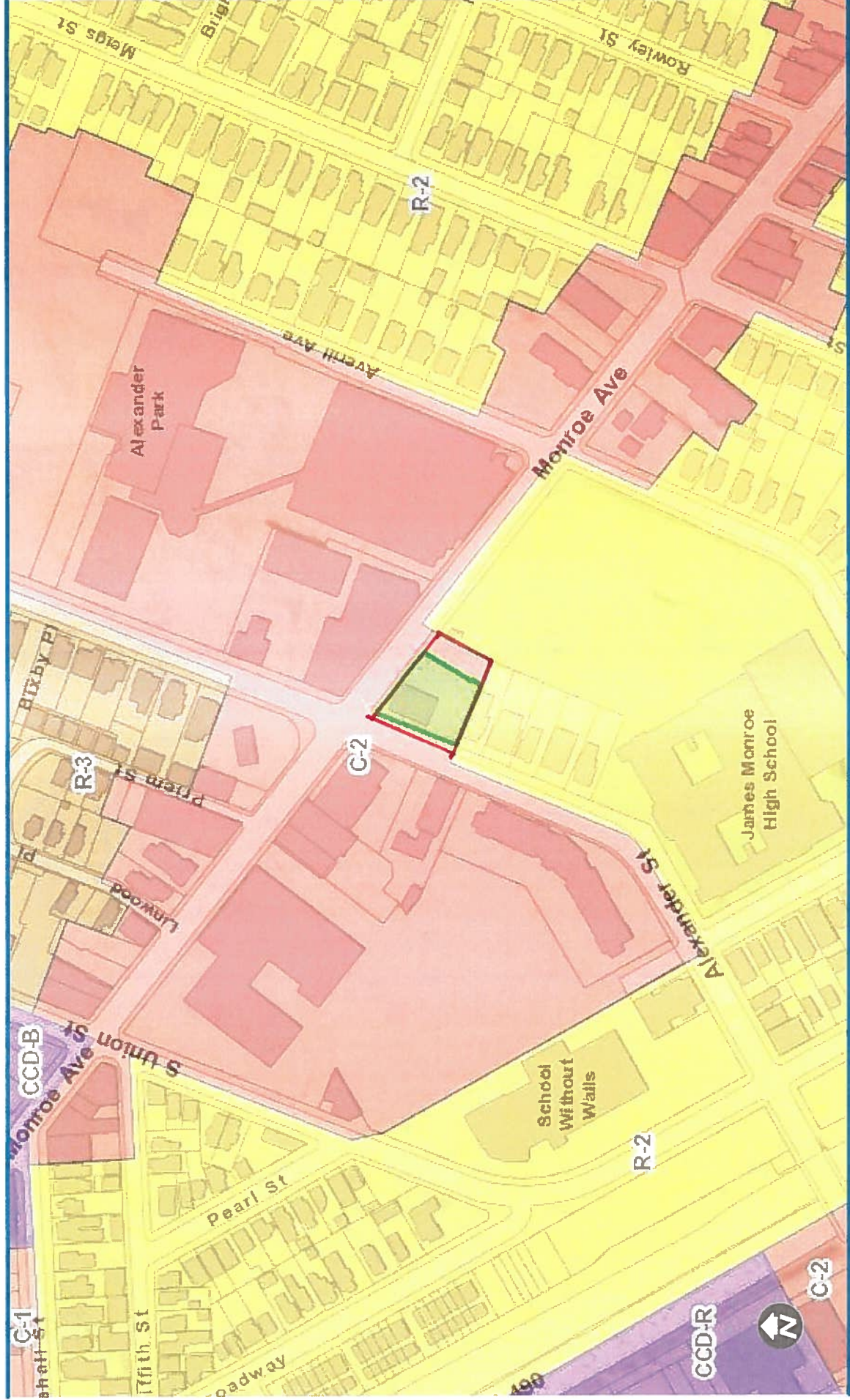
APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE:  DATE: March 19, 2020

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SIGNATURE: _____ DATE: _____

327-341 MONROE AV



May 13, 2020

This map is intended for general reference only.

The City of Rochester makes no representation as to the accuracy or fitness of the data presented.



City of Rochester, NY

Lovely A. Warren, Mayor

327-341 MONROE AV - 14607

SBL: 121.49-2-25

SBL20: 12149000020250000000



City of Rochester, NY
Lovely A. Warren, Mayor



Owner Name:	331 MONROE AVENUE LLC
Owner Address:	3 GLENLAKE PKWY 5TH FLR ATLANTA GA 30328
Frontage:	140.00000000
Depth:	155.00000000
Acreage:	0.41
Use Code:	426 - FAST FOOD FRANCHISE
Zoning:	C-2
Land Value:	\$85,900.00
Assessed Value:	\$307,300.00
Tentative Land Value:	\$85,900.00
Tentative Total Value:	\$307,300.00
Sale Date:	11/2/18
Sale Price:	\$437,000.00

327-341 MONROE AV - 14607

SBL: 121.49-2-25

SBL20: 12149000020250000000



City of Rochester, NY
Lovely A. Warren, Mayor

Taxes

Installments	Amount Due	Date Paid	Payment
7/31/2019	\$7,127.88	7/23/19	\$7,127.88
9/30/2019	\$2,050.00	9/11/19	\$2,050.00
1/31/2020	\$2,050.00	--	\$0.00
3/31/2020	\$2,050.00	--	\$0.00
Total Taxes Paid to Date:			\$9,177.88
Current Annual Tax:			\$13,277.88
Principal Due:			\$4,100.00
Interest Due:			\$123.00
Annual Taxes without Exemptions, Interest, Delinquencies, and Code Violation Charges:			\$13,277.88

Tax Exemptions

No tax exemptions found.

Special Districts

Special District Code	Special District Desc	Units
SC400	STREET MAINT. FULL	192
RP600	ROADWAY SNOW PLOW	192
SP700	SIDEWALK SNOW PLOW	192
HSR00	HAZARD SDWLK REPLACE	192
SL140	MONROE LIGHTS DIST 1	140

Engineering



Fitzgerald Engineering, PLLC
277 Alexander Street
Suite 210
Rochester, NY 14607

March 19, 2020

Zoning Board of Appeals
City of Rochester
30 Church Street
Rochester, New York

Area Variance Application
327 & 347 Monroe Ave
Burger King

Dear City Officials:

On behalf of our client, The Holland Trotta Project, we are pleased to submit the attached Site Plan review application and supporting documents reflecting the proposed development of a 2,600 square foot Burger King quick service restaurant to be located at 327-347 Monroe Avenue in the City of Rochester.

The subject parcel that the new Burger King will occupy is located at 327 Monroe Avenue (S.B.L. # 121.49-2-25) on the corner Monroe Avenue and Alexander Street. This parcel is 0.395 acres and is currently occupied by an Arby's quick service restaurant. The adjoining parcel located at 347 Monroe Avenue (S.B.L. #121.49-2-26) will also be used for the new Burger King and its associated drive-thru. This parcel is 0.123 acres and is currently used as parking lot. Both parcels are zoned C-2 (Community Center Zoning District).

The new Burger King will utilize the existing curb cut(s) off of Monroe Avenue and Alexander Street. The new building will have a drive-thru and a total of 13 new parking spaces. The developer will install new private utilities that will then connect to the existing utilities on and around the site. These utilities include a new water service, a new sanitary lateral and a new storm water system. Additional site improvements include grading around the site, which will then help stormwater runoff. Site beautification will also be improved through the installment of new landscaping.

NOTE: *Our Client received approval based upon the submitted layout including the requirements for the excess in parking spaces and drive-thru special permit from the City Planning Commission (CPC) at last Monday's (March 9th) public hearing. The CPC did require additional screening in the form of a shadow-box fence as part of the approval as well as commenting that a pedestrian connection from Alexander Street and additional buffer landscaping at the drive thru approach would be desired. We have addressed those specific comments and requirements in the current submission to you.*

Our team has been working diligently with internal City staff for nearly two years to develop a plan that is appropriate for the site, addresses the municipal design concerns, safe from an engineering circulation standpoint, and the best overall beneficial compromise on a layout that serves the community as well as providing a desired public amenity of greenspace. That being said this proposed development will unfortunately require 4 Area Variances to accomplish this. The following is a description of the required variances:

- As per the City of Rochester Zoning Code Section 120-44C(2)(a), "Maximum front yard setback: zero to five feet." The setback from Alexander Street ranges from 96 feet to 114 feet therefore, a variance is requested.
- As per the City of Rochester Zoning Code Section 120-44D, "Corner Lots. Corner lot front setbacks shall reflect the front setbacks of the other corner buildings at that intersection, but in no case shall be less than the average front yard depth of building(s) in the commercial district in which the property is located." Since the site does not meet this criteria, a variance is requested.
- As per the City of Rochester Zoning Code Section 120-165B. "Refuse collection areas for multifamily, commercial and industrial uses shall be subject to the following: All refuse collection area shall be in the side and rear of the buildings." Since the dumpster enclosure is located in the front yard, facing Alexander Street a variance is requested.
- As per the City of Rochester Zoning Code Section 120-173F(1)(d) "Except in the C-3 and M-1 Districts, parking shall not be permitted between a building and the sidewalk on the street. Where existing or proposed building are setback from the public right-of-way, the front yard shall not be converted to parking." The parking lot is located in the front yard, between the building and sidewalk on Alexander Street therefore, a variance is requested.

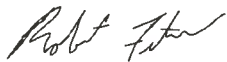
Please refer to the attached site plans, building elevations and site photos for your reference regarding these improvements.

Please review these materials for completeness and notify us of any other items necessary to complete the application. We look forward to working with the City of Rochester to develop this project in 2020.

You may contact me at 585-281-9897 with any questions.

Regards,

Fitzgerald Engineering, PLLC



Robert Fitzgerald, P.E.

A. Benefits. The benefits to the applicant outweigh any detriment to the health, safety and welfare of the neighborhood or the community by granting of the variance.

By positioning the building in its proposed location, it allows the parking field to be installed along one side of the building and the drive-thru along the other side of the building while still maintaining optimal circulation around the building for not only the patrons visiting the site but also any emergency vehicles and refuse vehicles that need to access the site. It also benefits the site by increasing the overall aesthetic appeal through the proposed landscaping, hardscaping and screening.

B. Essential character of the area. No undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created by the granting of the variance.

Throughout the C-2 zoning district there are many buildings and sites that do not conform to the zoning requirements. Within proximity, there are other existing Drive-thrus, gas stations, restaurants, markets, etc. that draw similar types of customers and this type of business would remain in-kind and/or an upgraded amenity to the majority. Saying this, if the variances were granted, an undesirable change would not be produced in the character of the neighborhood or be a detriment to nearby properties.

C. No other remedy. There is no other means feasible for the applicant to pursue, other than the granting of this area variance.

While the site could be laid out in a different orientation or configuration to remove one or two of the required area variances there is no possible way to eliminate all of the area variances.

D. Significance. The requested variance is not substantial.

There have been many iterations and designs that have gone into this site plan. There have also been many comments, desires and needs from the City and the surrounding community that have been incorporated into this site plan. We believe that this proposed plan addresses those desires and needs. Because of all this, the site requires variances in order to make everything work. While several of the variances appear to be substantial, they are in actuality not substantial if the site is to work and is to comply with the surrounding communities needs and wants.

E. Physical or Environmental Conditions. The requested variance will not have an adverse impact on the physical or environmental conditions in the neighborhood or district.

If the variances were granted, the physical and environmental conditions of the neighborhood and district would greatly improved. The site would be transformed from an existing unoccupied Arby's restaurant to a site incorporating new landscaping, hardscaping and a new tenant that would be in business for many years to come.

F. Not self created. The alleged difficulty was not self-created, the consideration of which shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the variance.

Due to the constraints of the site and the wants and needs of the surrounding community, the requested variances are not self created. The proposed placement of the building and parking

field allow optimal circulation for the patrons visiting the site and any emergency vehicles and refuse vehicles that also need to access the site.



City of Rochester

Neighborhood and Business Development
City Hall Room 125B, 30 Church Street
Rochester, New York 14614-1290
www.cityofrochester.gov

Bureau of Buildings
and Zoning

February 28, 2020

Ray Trotta
The Holland Trotta Project
277 Alexander Street
Rochester, NY 14607

**Re: Preliminary Site Plan Findings (SP-19-18-19)
327-341 & 347 Monroe Avenue
C-2 Community Center District**

A preliminary review of your application *to construct a 2,600 square foot Burger King restaurant, with a two-lane drive-through service window, a 13 space parking lot and associated landscaping*, has been completed.

The following findings and recommendations have resulted from this review. It is your responsibility to familiarize yourself with the content of this document and apply for additional approvals that may be required.

Existing Conditions:

The site is comprised of two parcels totaling approximately 0.53 acres located in the C-2 Community Center District.

- 327-341 Monroe Avenue has 140 feet of street frontage along Monroe Avenue and 155 feet of street frontage along Alexander Street and is approximately 0.41 acres. The parcel is currently occupied by the former Arby's restaurant building which is now vacant, and a 33 space parking lot with access from both Monroe Avenue and Alexander Street.
- 347 Monroe Avenue has 43 feet of frontage along Monroe Avenue and is approximately 0.12 acres. The parcel is currently used as a nine space parking lot for the Windstream building across Monroe Avenue.

Scope of the Project:

The applicant proposes to combine the lots into one parcel, demolish the existing Arby's building and construct a new 2,600sf building for Burger King. The building will be located on the easternmost portion of the site, built up to the street on Monroe Avenue, and setback

98ft+ from Alexander Street. The new 13 space parking lot will be constructed west of the new building in the Alexander Street front yard. A portion of the site located at the corner of Monroe Avenue and Alexander Street adjacent to the sidewalk will act as public space with benches and a bike rack. Landscaping, including trees, shrubs, and grass, is proposed along Alexander Street, Monroe Avenue and the eastern lot line.

Two-way vehicular access will be provided to the parking lot and drive-through lanes from Alexander Street at the location of the current access. The existing curb cut on Monroe Avenue will be removed. The drive-through lanes will begin in the Alexander Street front yard and continue to the rear (south) of the building and will merge into a single lane leading to the service window on the east side of the building. The drive-through lane will exit onto Monroe Avenue. An additional *right in only* curb cut will be added on Monroe Avenue for vehicles traveling eastbound.

Code Compliance:

1. Site Plan Review. Site Plan Review approval is required for the redevelopment of any sites devoted to vehicular uses, including drive-through facilities, as set forth in §120-191D(3)(b)[3].

2. Special Permit review by the City Planning Commission. The City Planning Commission will review the Special Permit request for a drive-through. As proposed, the project would need the following waivers from CPC.

§120-136A. Except in C-3 and M-1 Districts, all elements associated with drive-throughs, including but not limited to service windows, vehicular queuing lanes, menu boards and intercoms, shall be prohibited in the front yard and shall not be located to prevent direct pedestrian access from the public right-of-way to the principal building.

A portion of the double queuing lane is in the front yard facing Alexander Street. Additional drive-through elements are also located in the front yard (height restrictor bar, pre-menu board, and intercom).

There is no sidewalk access from Alexander Street. Pedestrians accessing the site from the south will need to enter through the vehicle drive-through entrance, cross both drive-through lanes, and continue through the parking lot to the western entrance. No sidewalks or designated crosswalks are proposed in this area of the site.

§120-136B. When adjacent to residential uses, drive-throughs, including both the facility and queuing lanes, shall be screened from the adjacent residential properties.

A residential property is located directly adjacent to the site to the south. There is an existing retaining wall and chain link fence along the south property line separating the properties. The neighboring property sits above the retaining wall at a higher elevation (up to 6ft in

some areas). The retaining wall is deteriorated, and will therefore be repaired in-kind, but it will not completely screen the drive-through from the neighboring residential property.

§120-173D. Maximum number of parking spaces. No use other than single, two-family and attached residential uses, subject to the per unit requirements in § 120-173F, shall provide more than 110% of any of the above-listed requirements, except through the submission of a parking demand analysis in accordance with § 120-173B and approval of a special permit in accordance with §120-192.

10 Spaces are required, up to 11 are permitted; 13 are proposed.

3. Zoning Board of Appeals (ZBA)

This project requires a number of Area Variances to waive various site and building design requirements. A list of variances and the reasons they are required is detailed below. The Zoning Board of Appeals will consider Area Variances from the following sections of the Zoning Code:

§120-44C(2)(a) Maximum front yard setback: zero to five feet.

This setback from Alexander Street ranges from approximately 98 feet to 117 feet.

§120-44D Corner lots. Corner lot front setbacks shall reflect the front setbacks of the other corner buildings at that intersection, but in no case shall be less than the average front yard depth of building(s) in the commercial district in which the property is located.

The Windstream building across Monroe Avenue to the north is built to the corner with a zero-setback on Alexander Street. The proposed building does not reflect this setback along Alexander Street and has a setback ranging from 98ft-117ft. The fire station across the street to the west has a setback on Monroe Avenue ranging from approx. 11ft-15ft. While the proposed building does not reflect this setback, it is within the Maximum Setback requirement above (0ft-5ft) and also reflects the setbacks of the buildings directly adjacent to the fire station to the west. Only the Dunkin Donuts building across the street diagonally to the northwest, a converted service station, has a large setback from both Monroe Avenue and Alexander Street, which is inconsistent with the other buildings at the corner, and the surrounding buildings on both Alexander Street and Monroe Avenue.

§120-45A(1) Minimum building height, principal use or structure: two stories or 20 feet.

A majority of the building is 18 feet high, with higher bays of 19ft, 20ft, and 21ft.

§120-159B(2). In all C-1, C-2, H-V, PMV, and C-V Districts, all new construction on building facades that are within 60 feet of a street right-of-way shall provide areas of transparency equal to 70% of the wall area between the height of two feet and eight feet from the ground. (b) For sites with frontage on more than one street, the transparency requirement is applied to all frontage on streets classified as principal arterials, minor arterials and collector streets.

Both Monroe Avenue and Alexander Street are classified as Minor Arterials.

The Monroe Avenue façade has 68% transparency between two feet and eight feet.

Although the façade rendering provided shows that the rear of the Alexander Street façade will have full transparency into a dining area, the floor plans and elevations drawings show this area will actually be a freezer with no transparency. The applicant proposes display windows to mitigate this. Please note that display windows do not count in the transparency calculation.

The Alexander Street façade of the building has a 24% window transparency. Most new nonresidential construction in C-2 would require 70% transparency between two feet and 8 feet due to the requirement for new buildings to be built up to the street (0ft-5ft), but in this case, the building setback (98ft to 117ft) exempts the building from needing to comply with the transparency requirement. Therefore, if ZBA approves the setbacks, this façade will have no transparency requirement and would be code compliant.

§120-165B. Refuse collection areas for multifamily, commercial and industrial uses shall be subject to the following:

(1) All refuse collection areas shall be in the side and rear of the buildings.

The dumpster enclosure is located in the front yard, facing Alexander Street.

§120-169D. Screening.

(1) Screening shall be required for any nonresidential use where it abuts an area zoned or used residentially on the ground floor.

Screening is not proposed on the eastern lot line which is adjacent to the R-2 District.

§120-173F(1)(d) Except in the C-3 and M-1 Districts, parking shall not be permitted between a building and the sidewalk on the street. Where existing or proposed buildings are set back from the public right-of-way, the front yard shall not be converted to parking.

The parking lot is located in the front yard, between the building and sidewalk on Alexander Street.

SEQR/Chapter 48 Compliance:

In accordance with Article 8 of the New York State Conservation Law and Chapter 48 of the Rochester City Code, this project has been classified as an Unlisted Action. A Negative Declaration was issued on January 28, 2020 indicating that the proposed action is one which will not have a significant impact on the environment.

Findings:

1. **Neighborhood Context.** The surrounding neighborhood predominately consists of commercial structures on Monroe Avenue as well as Alexander Street along with a number of residential structures on Alexander Street south of the site. Monroe High School is in close proximity, with the west property line of the site bordering the school's playing field. The school's entrance on Alexander Street is approximately 400ft south of the drive-through entrance.
2. **Mechanicals.** The applicant stated that a transformer could be required by RG&E in the future, but a location has not been identified. If a transformer is required, the Zoning Code requires that it be located in the rear yard (to the south of the building) and screened from view. The applicant will need to identify the location of the transformer, if applicable, and screening method, prior to any building permits being issued.

All roof mounted mechanicals will be located at least 10ft from any exterior wall and will be screened from view by the building parapet itself. Utility tie-ins (Gas, Meters, etc.) will be located at the south side of the buildings and screened by arborvitae.
3. **Drainage.** Four catch basins will be located in the drive-through lanes and the parking lot and connected to the existing sewer line on Monroe Avenue.
4. **Refuse Collection.** A dumpster enclosure is proposed in parking lot facing Alexander Street. The location in the front yard will require a variance. The proposed enclosure will consist of 6ft tall board-on-board fencing.
5. **Design.** The building is a standard design for the Burger King; however the façade design lacks transparency especially on the Alexander Street facade. Initial plans placed the new building at the corner of Monroe Avenue and Alexander Street, similar to the existing Arby's building, which was appropriate from an urban design standpoint,

but this layout posed issues from a traffic standpoint. The final drawings include large setbacks over 98ft on Alexander Street with parking located in the front yard between the building and the street.

6. **Department and agency concerns.** A number of concerns have been raised by various City Departments and groups with regards to the proposal, including the use, site design, building design, consistency with the purpose and goals of the C-2 District, traffic, and public safety. These groups included the Site Plan Review Committee, Project Review Committee, Planning Office, Department of Environmental Services, and Rochester Fire Department. Their concerns are summarized in the findings below.
7. **Project Review Committee (PRC).** PRC reviewed the proposal at their May 8th, 2019 meeting and recommended Site Plan Denial. Although PRC reviewed the earlier iteration of the proposal, with the building located at the corner of Monroe Avenue and Alexander Street which has since been changed, many of their original concerns remain relevant, including the following:
 - While drive-throughs are specially permitted in C-2 district, the number of Variances, and Special Permit waivers that will be required for this project suggest that the proposal does not fit this specific site.
 - Monroe Avenue is a walkable commercial district located a short distance from Downtown. The proposal prioritizes automobile convenience at the expense of pedestrians and bicyclists and is generally inconsistent with the C-2 Purpose Statement: *"The C-2 District is preserved through appropriate design elements, amenities or treatments that create, enhance and reinforce the design relationships between the buildings, sites and streets and still establish an ambience that is uniquely urban and pedestrian oriented."*
8. **Planning Office** The Manager of Planning submitted comments, dated September 13, 2019, which concurred with the concerns of the PRC and stated that *"not only is the proposal inconsistent with the City's adopted goals as expressed in the Purpose Statement and regulations of the C-2 District, it is inconsistent with the design and values expressed for the Neighborhood Mixed-Use Character Area in the draft Rochester 2034 Comprehensive Plan. The suburban-style design prioritizes vehicular access and lacks urban form. It does not include any enlivening contributions to the pedestrian realm, aside from the building built to the sidewalk."* These comments were based on the earlier version of the plan, which placed the building up to the street anchoring the corner of Monroe Avenue and Alexander Street. The Planning Office reviewed the revised drawings and did not amend their comments.
9. **Rochester Fire Department (RFD) Review.** RFD reviewed the final proposal and had concerns relating to the Monroe Avenue fire station which is located directly across the street at the southwest corner of Monroe Avenue and Alexander Street. RFD is concerned that vehicles waiting to turn left into the proposed Alexander Street drive-

through entrance could impede or block emergency vehicles leaving the fire station and responding to calls that require south-western travel on Alexander Street.

- 10. Department of Environmental Services (DES) and Monroe County DOT (MCDOT) Review.** DES in conjunction with MCDOT reviewed the original proposal and a traffic impact assessment dated March 29, 2019, and determined that the site layout and two access points limited to Monroe Avenue were not acceptable and could result in the queuing of vehicles waiting to access the site from Monroe Avenue, traffic congestion, and accidents at this busy intersection.

Based on these concerns, the applicant revised the site design (as described above) by rotating the building, shifting it from Alexander Street and providing a two way entry/exist from Alexander Street, and added a drive-through exit onto Monroe Avenue, and a right turn only entry from Monroe Avenue for vehicles traveling east. DES and MCDOT reviewed this final proposal and found it to be acceptable.

- 11. Water Bureau Review.** Final site plans will require City Water Bureau approval.
- 12. Monroe County Pure Water (MCPW) Review.** Final site plans will require MCPW stamped approval.
- 13. Signage.** The elevation drawings show signage; however the applicant will finalize their sign proposal and apply under a separate permit.

A copy of the Preliminary Site Plan Findings will be provided to the City Planning Commission (CPC) and the Zoning Board of Appeals (ZBA) to be considered in their review of the Special Permit, and Area Variance requests. Final Site Plan Review approval will not be issued until their Notices of Decision have been issued and all conditions imposed by the CPC and ZBA have been addressed, as well as any additional requirements as noted in these findings.

Please contact Tim Raymond, Senior Architect at (585) 428-7770 or Tim.Raymond@cityofrochester.gov if you have any questions regarding these preliminary findings.

Sincerely,



Jill M. Wiedrick, AICP
Manager of Zoning

xc: Ray Trotta, The Holland Trotta Project
Robert Fitzgerald, Fitzgerald Engineering, PLLC

Aerial of Site

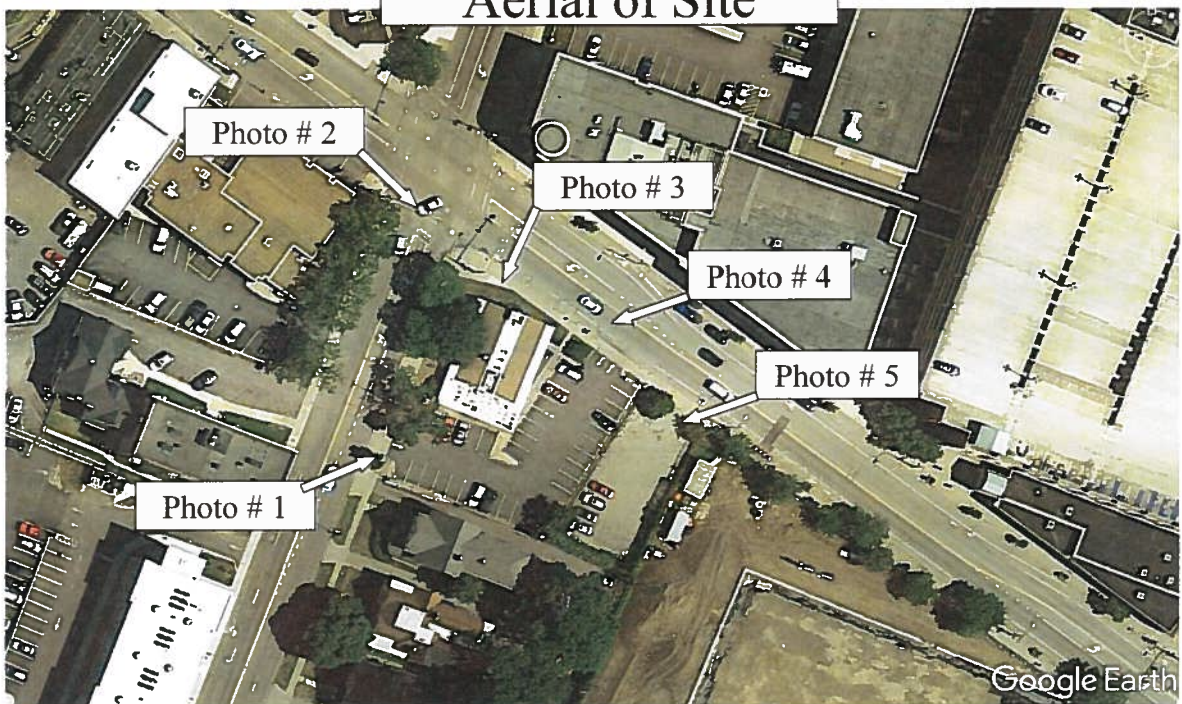


Photo # 1

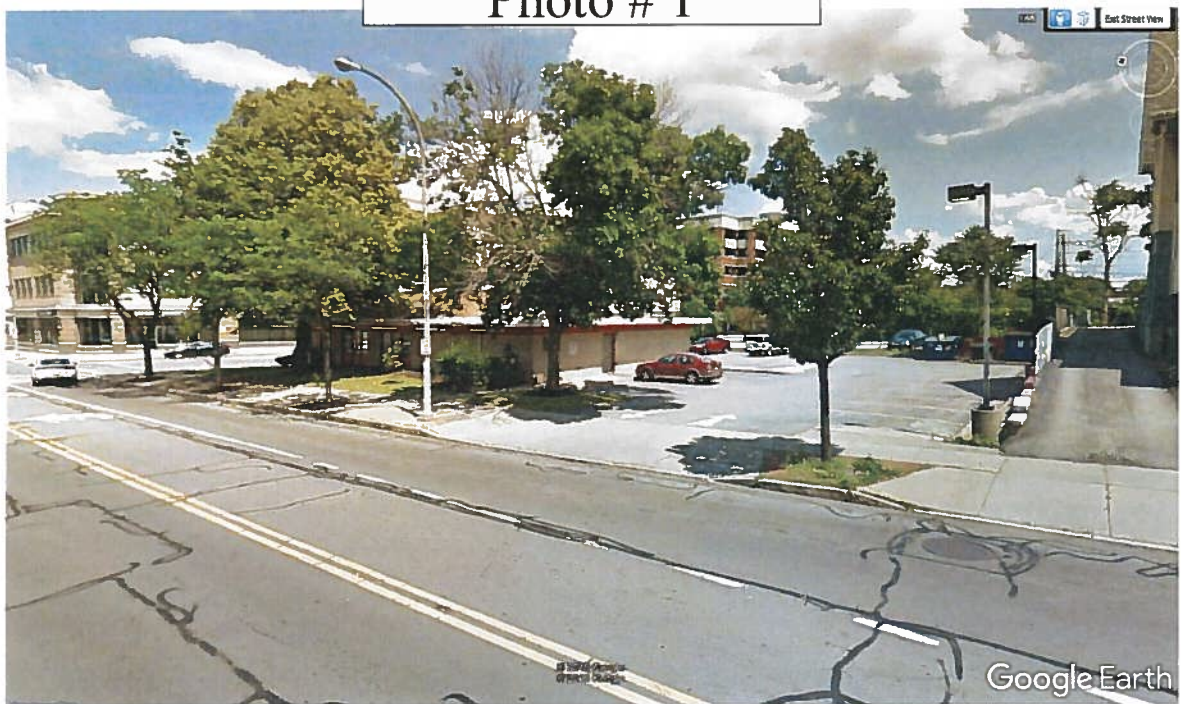


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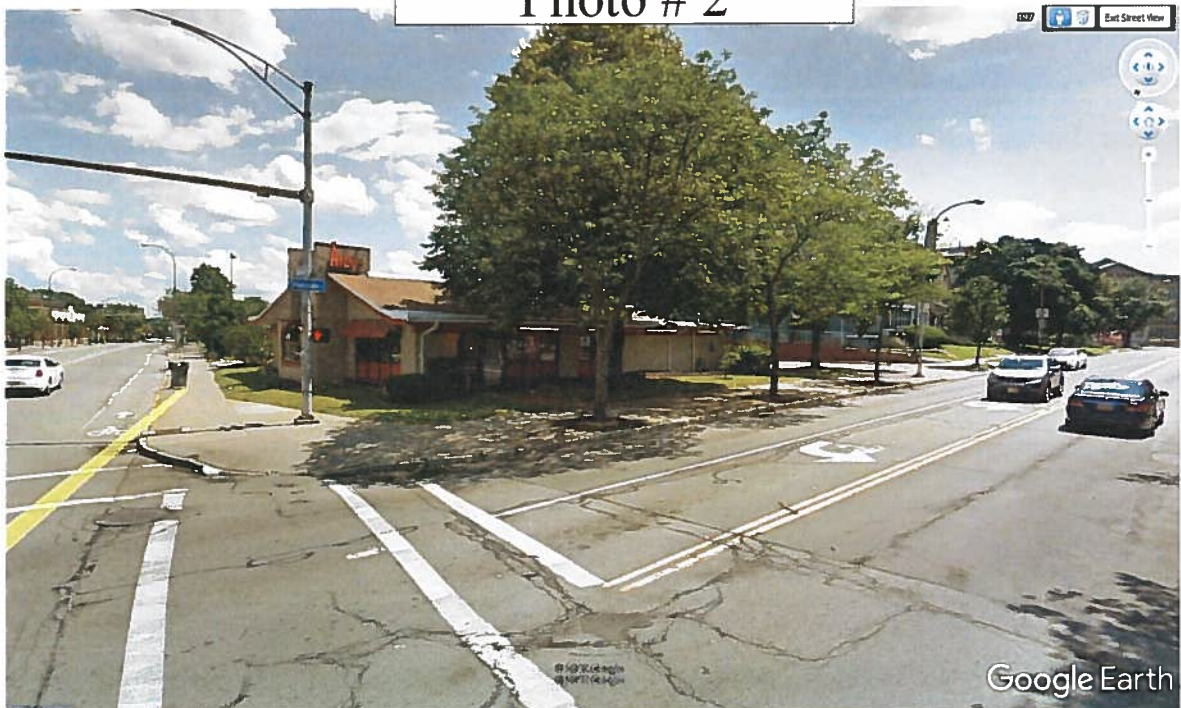


Photo # 3



Photo # 4

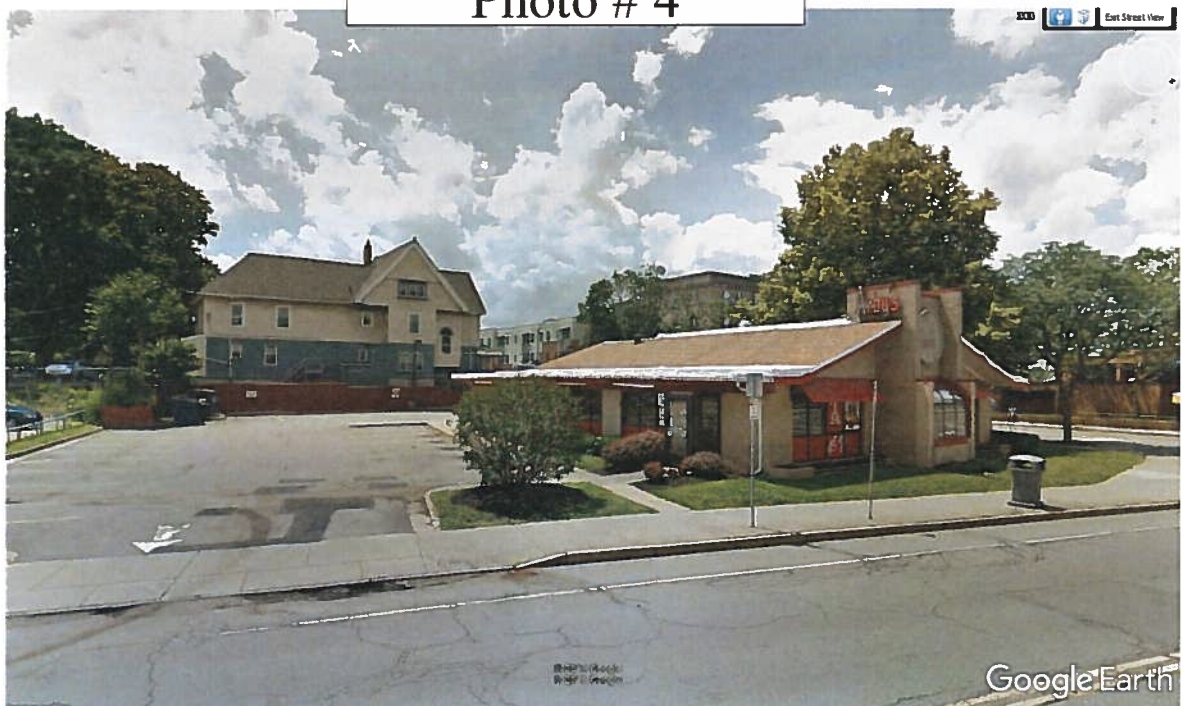
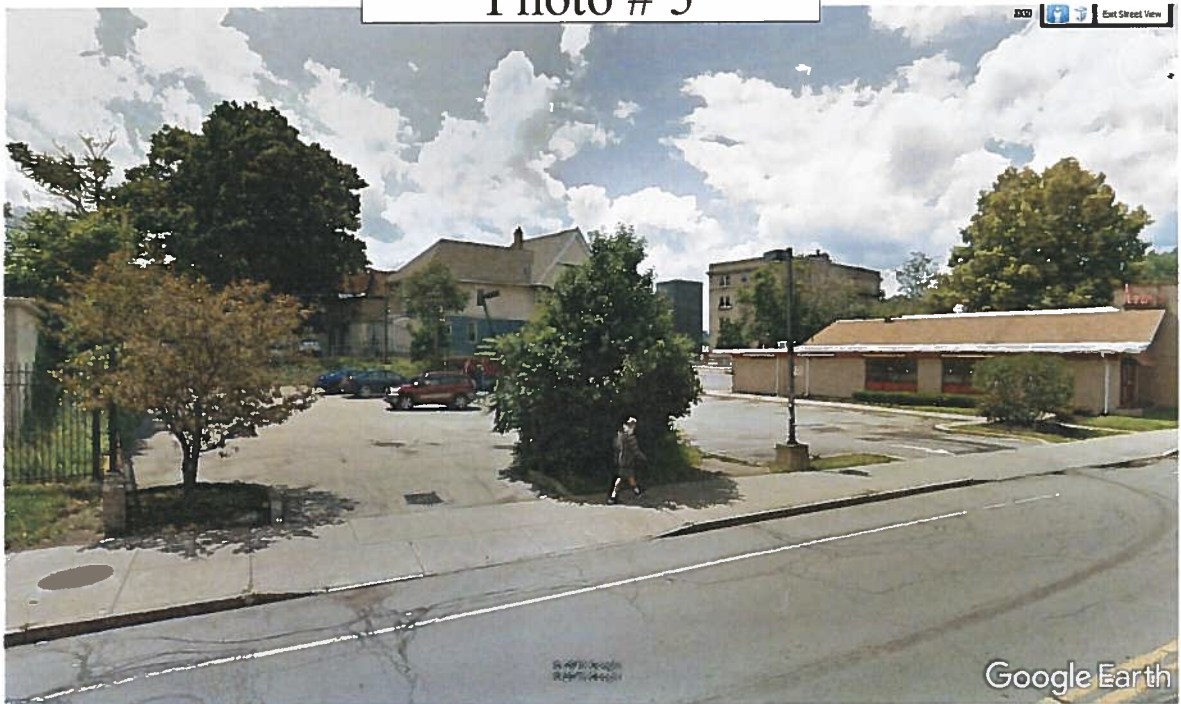


Photo # 5



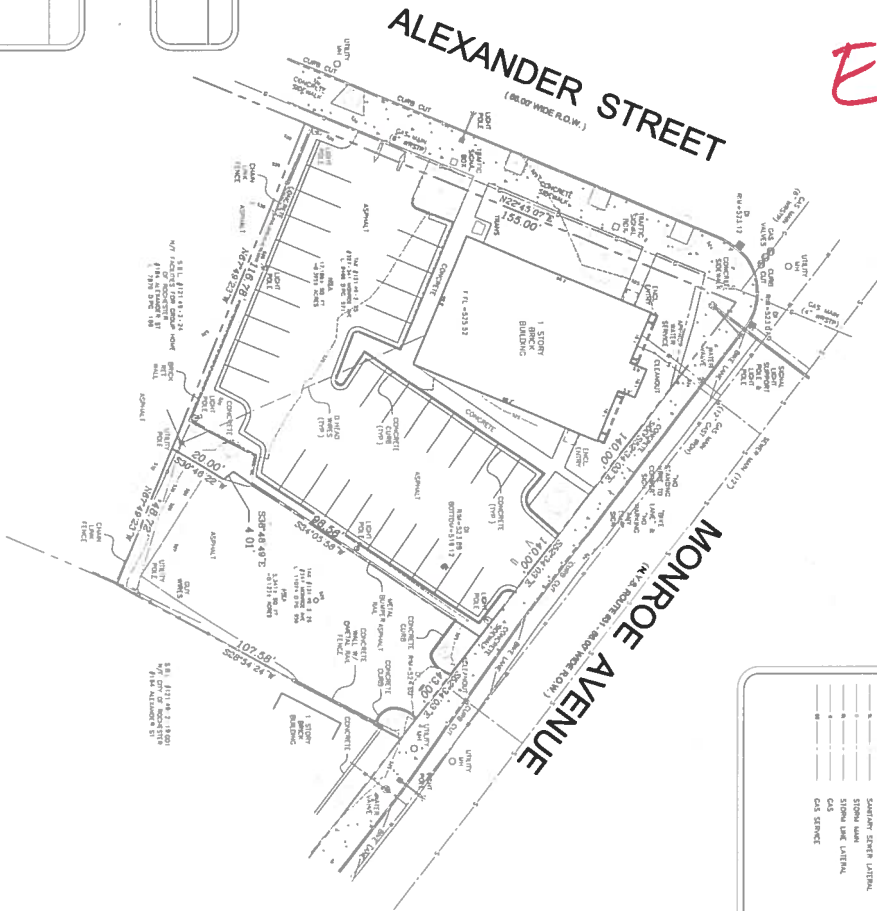


Existing
Site

©2018 ANEP/CONICET. LAM Y SUAVIZADOS. N. L. REPORTS OF THE 2018

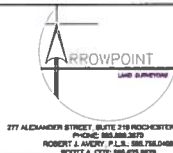
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2 L0878 11074 OF DRIED, PAGE 636

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LINE TYPES		SYMBOLS	
PROPERTY	PROPERTY NUMBER LINE	A	SCALE
SALE	ENTIRE CONDITION	AB	HOW MANY
—	OPEN END	B	UNIT PRICE
—	UNDETERMINED WEIGHTS	B—	CARRY / LEFT OVER
—	UNDETERMINED LENGTHS	—	—
—	WITH STRETCH	—	—
—	SATURATED STRETCH	—	—
—	SATURATED STRETCH LINE	—	—
—	SIMPLE LINE	—	—
—	SIMPLE LINE WITH LINE	—	—
—	ONE STRETCH	—	—

the
HollandTrotta
PROJECT



277 ALEXANDER STREET, SUITE 210 ROCHESTER, NY 14602
PHONE: 585.588.3270
ROBERT J. AVERY, P.L.S.; 585.751.0488
ROBERT A. COOK; 585.425.8029




EXISTING CONDITIONS MAP

#327 - #347 MONROE AVENUE
BEING LOTS 1, 2, 3, 4, & 5 OF ABLES, BREWSTER & REMINGTON'S
SUBDIVISION OF PARTS OF LOTS 1 AND 2 OF THE COBB TRACT,
SITUATE IN THE CITY OF ROCHESTER,
COUNTY OF MONROE, STATE OF NEW YORK

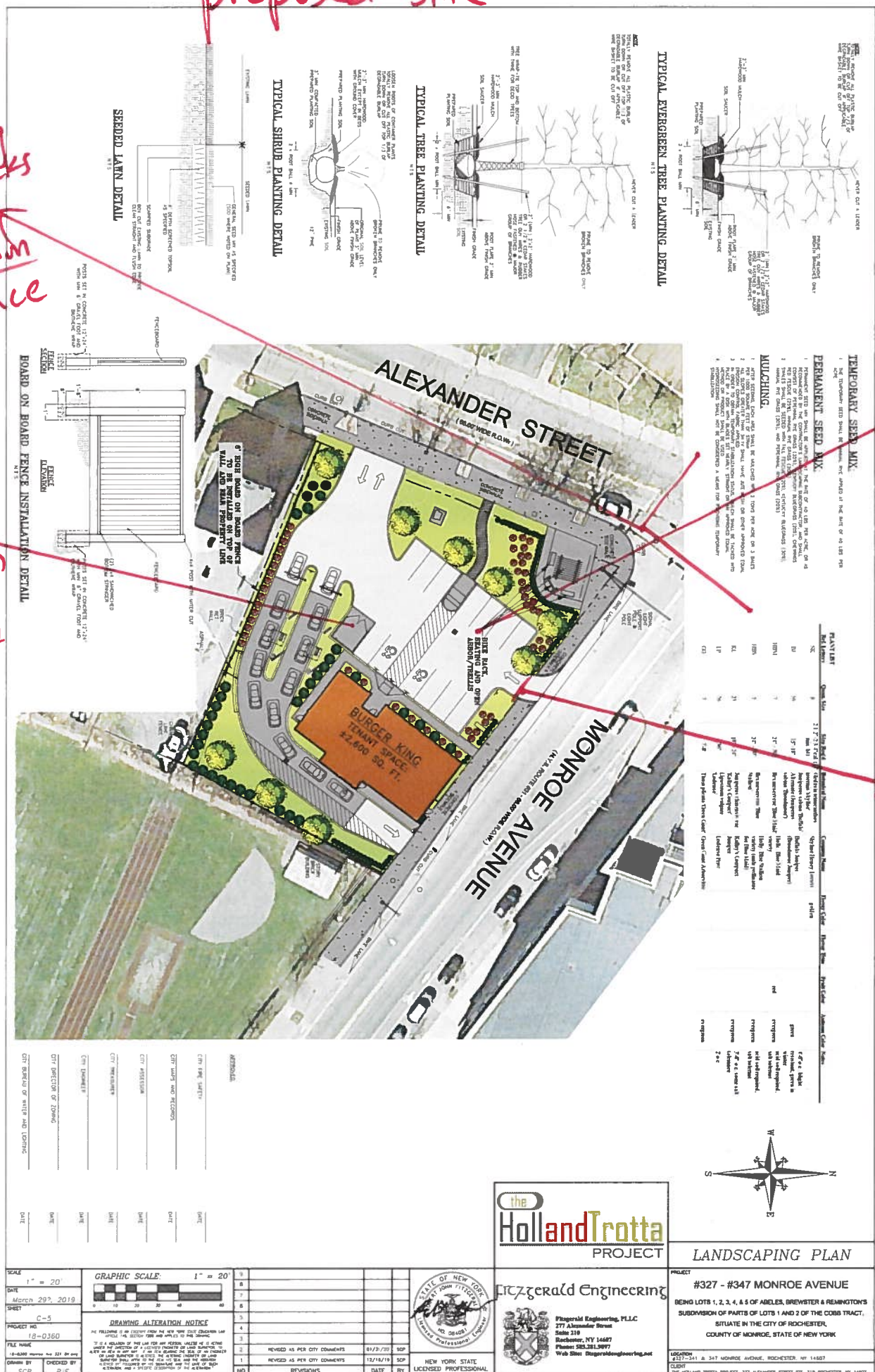
LOCATION
#327-341 & 347 MONROE AVENUE, ROCHESTER, NY 14607

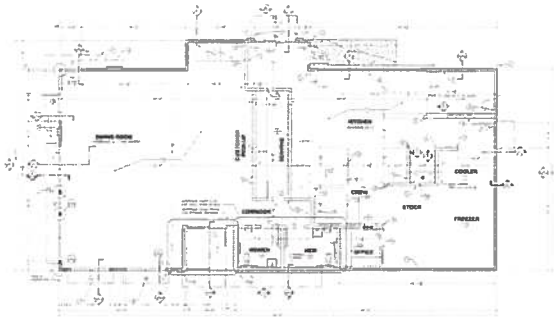
SCALE	1" = 20'
DATE	March 29, 201
SHEET	C-1
PROJECT NO.	18-0360
FILE NAME	18-0360 Steeple Ave S21 SH
DRAWN BY	SCP
CHECKED	RJF

[illegible]

9					
8					
7					
6					
5					
4					
3					
2					
1	REVISED AS PER CITY COMMENTS	2/18/19	SDP		
NO	REVISIONS	DATE	BY	NEW YORK STATE LICENSED PROFESSIONAL	

→ Set-back
from
street
(Alexander
variance)

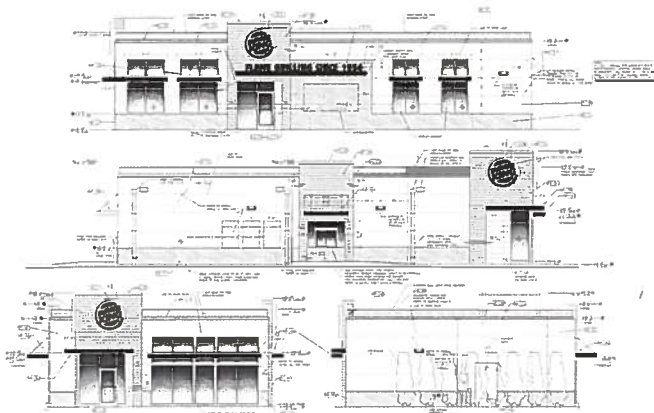




Proposed Floor Plan



**Artistic Color Renderings for Reference
(Facing Monroe/Alexander & Drive-Thru Side)**



Proposed Elevations



DESIGNED FOR
**James
Cammilleri**

**Burger King
Monroe & Alexander
Rochester, NY**

**Exterior
Aesthetics**

DATE	BY	SCALE SEE VIEW	SHEET #
12/16/19			1
DATE			